

10/581964
AP20 Rec'd PCT/PTO 07 JUN 2006

ATTORNEY DOCKET NO: 72270

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : RICCI et al.
PCT No. : PCT/IT2004/000575
Confirm. No. : N/A
Filed : June 7, 2006
For : DEVICE FOR PERFORMING...
Art Unit : N/A
Examiner : N/A
Dated : June 7, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Attached please find Form PTO/SB/08a together with the references as stated in the specification.

- EP-B-898700 as discussed on Page 2 of the specification. Applicant further wishes to note the corresponding International Publication No. WO 97/43622.

- WO-A-9743621 as discussed on Page 2 of the specification. Applicant further wishes to note the corresponding U.S. Patent 6,387,327.

- U.S. Patent 5,133,208.

The following references have been cited in the International Phase of the above-identified application.

- U.S. Patent 5,526,705.

- EP 0 391 861 discloses an apparatus for the preparation and execution of tests on the

10/581964

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sedimentation rate of organic liquids and others. The reference has been cited under Category Y as being relevant to International claims 1 - 8, 16 - 26, 29, 30, 32 - 35 and 37 - 39.

- U.S. Patent Application Publication 2003/0087443 A1.
- U.S. Patent 5,914,272.
- U.S. Patent 6,403,328.
- U.S. Patent 4,187,462.
- U.S. Patent Application Publication 2003/0113930 A1.


- WO 98/02726 discloses an erythro sedimentation rate (ESR) test apparatus. The reference has been cited under Category X as being relevant to International claims 41 and 54.

- WO 91/09295 discloses a method and device for determining the sedimentation rate of blood. The reference has been cited under Category X as being relevant to International claims 41 and 54.

Consideration of the above references is requested.

Respectfully submitted
for Applicant,

By: _____


John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM:tf
72270-5

Enclosed: PTO/SB/08a Form
copy of International Search Report
copies of (6) References

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McGLEW AND TUTTLE, P.C.

BY: Jonathan Gork DATE: June 7, 2006

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		10/581964
Filing Date		2006-06-07
First Named Inventor	RICCI et al.	
Art Unit	N/A	
Examiner Name	N/A	
Attorney Docket Number	72270	

U.S.PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	6387327		2002-05-14	Ricci et al.	
	2	5133208		1992-07-28	Ricci	
	3	5526705		1996-06-18	Skotnikov et al.	1-8, 16-26, 29, 30, 32-35, 37-39
	4	5914272		1999-06-22	Dufresne et al.	41-76
	5	6403328		2002-06-11	Clampitt	41, 54, 63
	6	4187462		1980-02-05	Haker et al.	41, 54, 62

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
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1	20030087443		2003-05-08	Pressman et al.	1-40
2	20030113930		2003-06-19	Winkelman et al.	41, 54

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² j	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	EP0898700	EP		1999-03-03	Ricci et al.		<input type="checkbox"/>
	2	WO97/43622	IT		1997-11-20	Ricci et al.		<input type="checkbox"/>
	3	WO97/43621	IT		1997-11-20	Cocola et al.		<input type="checkbox"/>
	4	EP0391861	EP		1990-03-13	Ricci	1-8, 16-26, 29, 30, 32-35, 37-39	<input type="checkbox"/>
	5	WO98/02726	IT		1998-01-22	Curradi	41, 54	<input type="checkbox"/>
	6	WO91/09295	SE		1991-06-27	Eriksson et al.	41, 54	<input type="checkbox"/>

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NON-PATENT LITERATURE DOCUMENTS

**INFORMATION DISCLOSURE
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Attorney Docket Number	72270	

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
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EXAMINER SIGNATURE

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¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/john james mcglew/	Date (YYYY-MM-DD)	2006-06-07
Name/Print	John James McGlew	Registration Number	31903

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**